

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America,

v.

Paul Myles, #75833-071

Defendant.

Cr. No. 6:99-0046-GRA

ORDER

[Written Opinion]

This matter is before this Court on the petition of Paul Miles, who has filed a *pro se* motion asking this court to amend his sentence. Defendant's motion was filed June 3, 2005.

Defendant brings this claim *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *See Boag v. MacDougall*, 454 U.S. 364, 365 (1982).

Defendant requests that his sentence be amended due to his wife's illness and lack of funds. After a review of the record and defendant's current inmate account records, this Court finds that it is equitable to grant Defendant's motion.

IT IS THEREFORE ORDERED that Defendant's motion to amend his sentence be

GRANTED.

IT IS FURTHER ORDERED that Defendant's sentence be amended to read as follows:

Restitution of \$1,040 to commence upon Defendant's release from incarceration¹.

IT IS FURTHER ORDERED that Defendant's motion requesting a temporary restraining order filed May 31, 2005 in case no. 6:01-cv-931 is MOOT.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina

June 13, 2005.

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified within Rule 4, will waive the right to appeal.

¹The amount of restitution owed upon Defendant's release shall be reduced by the amount he has paid towards that restitution prior to that time. This Court has been informed that Defendant has paid \$250 towards his restitution as of May 25, 2005.